

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

March 24, 2021

TO: Honorable James White, Chair, House Committee on Homeland Security & Public Safety

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB127 by Ortega (Relating to the unlawful carrying of certain firearms; creating a criminal offense.),
As Introduced

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Penal Code to create a new offense relating to the unlawful carrying of weapons. The bill would prohibit carrying a firearm other than a handgun in plain view when a person is not on premises the person owns or are under the person's control, inside of or directly en route to a motor vehicle or watercraft the person owns or is under the person's control, or on privately owned real property with the owner's consent. The offense would be a Class A misdemeanor.

This analysis assumes implementing the provisions of the bill addressing felony sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

According to the Office of Court Administration, no significant fiscal impact to the state court system is anticipated.

According to the Office of Attorney General and Department of Public Safety, no fiscal implication to the State is anticipated.

Local Government Impact

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

Source Agencies: 212 Office of Court Admin, 302 Office of the Attorney General, 405 Department of Public Safety

LBB Staff: JMc, DKN, CMA, ANE